

REMARKS

In the Office Action mailed November 1, 2008 the Office noted that claims 16-26 were pending and rejected claims 16-26. Claims 21, 23, 24 and 26 have been amended, no claims have been canceled, and, thus, in view of the foregoing, claims 16-26 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections and objections are traversed below.

DOUBLE PATENTING

Claims 16-26 are provisionally rejected on grounds of nonstatutory obviousness-type double patenting as being unpatentable over co-pending Application Nos. 11/710,465, 11/710,547, 11/710,963, 11/710,968, and 10/565,075.

The Applicants herewith file a terminal disclaimer to overcome the provisional rejection.

Withdrawal of the provisional rejections is respectfully requested.

REJECTIONS under 35 U.S.C. § 112

Claims 21 and 26 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particu-

larly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Office asserts the claims have insufficient antecedent basis for several features.

REJECTIONS under 35 U.S.C. § 102

Claims 16-20 and 22-26 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Park, U.S. Patent No. 7,233,550. The Applicants respectfully disagree and traverse the rejection with an argument.

The instant Application was filed January 18, 2006 and claims priority to Japanese Patent Application JP 2003-200303 filed July 23, 2003. Park was filed September 26, 2003. The Applicants herewith file a verified English translation of the priority, thereby perfecting priority. Thus, the Park reference is insufficient as prior art as applied against the present Application.

Therefore, the Office has failed to make a *prima facie* case of anticipation in this matter.

Withdrawal of the rejections is respectfully requested.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. §§ 112 and 102. It is also submitted that claims 16-26 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

Please charge the disclaimer fee of \$140 to our credit card set forth in the attached Credit Card Payment Form.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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Serial No. 10/565,076
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APPENDIX:

The Appendix includes the following items:

- verified English translation of Japanese Appln. No. 2003-
200303
- Terminal Disclaimer